



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Guardian Earsey Lollis (Pro Per)

Guardian Henry Lollis (Pro Per)

Petition for Termination of Guardianship (Atif Adem only)

		EARSY and HENRY LOLLIS co-guardians, are petitioners and request to terminate guardianship of Atif Adem only.	NEEDS/PROBLEMS/COMMENTS:
		Earsy and Heny Lollis godparents, were appointed co-guardians on 11-1-2004	<u>OFF CALENDAR;</u> Dismissal entered 3/2/2016.
Cont. from		Father: Atif Adem Sr. Mother: Vernita Evans	
Aff.Sub.Wit.			
Verified		Paternal grandfather: Dawud Adem Paternal grandmother: Muna Britc Kidaxe Maternal grandfather: Frank Johnson Maternal grandmother: Anita C. Evans-Johnson	
Inventory			
PTC		Petitioners state Minor Atif is getting out of control and refuses to listen to them. He wants to run the streets all the time and to do what is not good for him.	
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: SEF
			Reviewed on: 3/7/2016
			Updates:
			Recommendation:
			File 1- Adem

Guardian

Worden, Ernestine (Pro Per – Paternal Grandmother – Guardian)

Petitioner

Bolin, Jill (Pro Per – Mother – Petitioner)

Probate Status Hearing RE: Consideration of Visitation

	ERNESTINE WORDEN , Paternal Grandmother, was appointed guardian on 7/15/08.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> As of 3/7/16, no written request for visitation has been filed pursuant to the minute order of 2/1/16.
	JILL BOLIN , Mother, filed a Petition for Termination of Guardianship on 10/5/15.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 3/7/16
		Updates:
		Recommendation:
		File 3- Children

First and Final Account and Report of Administrator and Petition for Its Settlement, for Allowance of Compensation to Administrator and Attorneys for Ordinary Services and for Final Distribution

DOD: 1/13/13		KENNETH W. PRICE , Son and Administrator with Full IAEA with bond of \$466,500.00, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 1/14/13 – 12/30/15	<u>SEE PAGE 2</u>
		Accounting: \$629,652.02	
		Beginning POH: \$595,785.63	
		Ending POH: \$475,443.85 (cash)	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Administrator (Statutory): \$13,461.79

Attorney (Statutory): \$13,461.79 (to be split between Attorneys Motsenbocker and Hiyama, \$6,730.89 each)

Closing: \$3,000.00

Petitioner states after the decedent's death it is believed that her husband, Virgil Strait, wrote two personal checks to him from the decedent's personal account, cashed an Exxon dividends check, and collected rent from certain property. Mr. Strait died 1/30/15, and a probate has been opened 15CEPR00565. Petitioner filed a creditor's claim for \$17,356.52 in that estate, which has been allowed. Pursuant to correspondence from Attorney Gregory J. Roberts at Exhibit C, that amount will be withheld from this estate's distribution to that estate.

Unusual expenditures: Petitioner states he erroneously assumed that certain property was held by the decedent and therefore collected rents; however, it was later learned that that property had been held by the decedent's mother, and an estate was opened therefor 13CEPR00872. Costs of that administration were advanced by this estate, as that estate consisted only of real property, no cash except for rents that were being collected in this estate.

Petitioner states he made an advance distribution to Marc E. Price of \$1,210.00.

Distribution pursuant to intestate succession and the above circumstances:
 Estate of Virgil Strait: \$137,339.08
 Kenneth W. Price: \$154,695.60
 Marc E. Price: \$153,485.60

Reviewed by: skc
Reviewed on: 3/7/16
Updates:
Recommendation:
File 5- Straight

NEEDS/PROBLEMS/COMMENTS (Cont'd):

1. Items #1 and #2 on I&A #3 filed 12/18/13 appear identical (same amount of shares, same value, same CUSIP number). Likewise, the petition at #18 appears to indicate that both identical sets of shares were sold for identical amounts. The Court may require verification that these identical sets of shares are, in fact, separate assets.
2. Petitioner includes the \$17,356.52 owed by the Estate of Virgil Strait to this estate in the fee base for statutory compensation; however, this amount was never received and this amount is simply being deducted from that beneficiary's share. Therefore, including this in the fee base is improper. Need recalculation of statutory compensation and distribution shares.
3. Petitioner states the creditor's claim filed 11/25/13 in the amount of \$3,231.54 was paid; however, it does not appear that Petitioner filed and properly served an Allowance of Creditor's Claim pursuant to Probate Code §9250. The Court may require Allowance to be filed and served, or may require a satisfaction or withdrawal of the claim from the creditor.
4. Schedule F indicates that the real property valued at \$95,000.00 was foreclosed; however, Petitioner does not describe the circumstances of the foreclosure. The Court may require clarification as to how this was in the best interest of the estate.
5. An advance distribution to beneficiary Marc E. Price was made without Court authorization.
6. Need revised order pursuant to the above issues, as well as Local Rule 7.6.1.F, which requires that some portion of the order must appear on the page upon which the judge's signature is affixed.

Probate Status Hearing RE: Transfer of Personal Property

DOD: 01/08/15	<p>BROOKE A. CASTLE, Granddaughter, was appointed Conservator of the Person and Estate on 8-15-13.</p> <p>Conservator's Second and Final Account was approved on 11/09/15. The Order Settling Second and Final Account authorized the conservator to transfer the balance of the property on hand, after payment of authorized fees, to Clayton James Stott, Successor Trustee of THE PATRICIA STOLL GREGORY STOLL SURVIVOR'S TRUST. An affidavit pursuant to Probate Code §§ 13100 – 13116 by Clayton James Stott was filed 10/19/15.</p> <p>Minute Order from 10/19/15 set this status hearing regarding transfer of personal property.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/11/16. As of 3/7/16, nothing further has been filed.</p> <p>1. Need status update regarding transfer of personal property.</p>
Cont. from 011116		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: JF/skc</p> <p>Reviewed on: 3/7/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6- Stott</p>

Probate Status Hearing re: Proof of Notice to DMV

	FREMONT BANK , former Trustee, petitioned the court for approval of their first and final account.	NEEDS/PROBLEMS/COMMENTS:
		Continued from 11/30/15. Minute order states Counsel represents that the lien title will not be issued by the state until January.
Cont. from 080315, 083115, 113015	HERB THOMAS is the current successor trustee.	<p>1. Need proof that the Trust is a lienholder on the vehicle or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p> <p>Note: The Hearing on the First Account was continued to 3/23/16.</p>
Aff.Sub.Wit.	The first and final account showed that Fremont Bank as Trustee for the Trust purchased a handicap equipped van for the beneficiary and distributed the van directly to the beneficiary.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Minute Order dated 6/29/15 states the court orders that the DMV is to be noticed that the Trust shall be the lienholder for the vehicle. Counsel is to submit a declaration verified by Herb Thomas.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Former Status Report filed on 11/25/15 states Charities Pooled Trust (CPT) has been attempting to secure a lien on the vehicle, however it may not do so until the DMV issues and Electronic Lien Title (ELT). The DMV has informed CPT that the ELT will not be available until January 2016. Once the ELT is received they will be able to place CPT as a lienholder on the vehicle.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 3/7/16
		Updates:
		Recommendation:
		File 7 – Bertoldi

Second Account and Report of Trustee and Petition for: 1. Ratification of Trustee Fees; 2. Allowance of Periodic Payment of Trustee's Fees; and 3. Allowance of Attorney Fees and Reimbursement for Costs Advanced

		MIDLANDS STATE BANK , Trustee without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>SEE ADDITIONAL PAGES</u>
		Account period: 1/1/14 – 12/31/15	
		Accounting: \$194,286.94	
		Beginning POH: \$92,640.90	
		Ending POH: \$175,090.09	
		(\$6,395.03 cash, securities, vehicle, annuities)	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	2620(c)		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Trustee: \$6,250.05 (Pursuant to Order Approving Compromise, Petitioner was authorized to pay itself monthly periodic payments of trustee fees out of the trust estate. Acting in conformity with the Order, Petitioner paid itself monthly trustee fees in the total sum of \$6,250.05 during this account period. Exhibit D provides the fee schedule and services, including 1.75% up to \$250,000, see table thereafter, minimum \$5,000. Disbursements Schedule indicates payments of \$416.67/month)			
Former Attorney: \$1,705.69 (\$1,087.50 plus \$618.19 in costs, for 6.5 paralegal hours @ \$150/hr and 0.3 attorney hours @ \$375/hr in connection with the first account.			
Current Attorney: \$5,140.00 (\$4,327.50 for 17.3 attorney and paralegal hours in preparation of this account itemized at Exhibits F, G, plus \$812.50 for an anticipated 2.5 attorney hours @ \$325/hr for appearance at this hearing. Alternatively, if the matter is recommended for approval and no appearance is required, the attorney will reduce the requested amount by \$812.50 to \$4,327.50.)			
Costs: \$200.00 (filing this petition)			
<u>SEE ADDITIONAL PAGES</u>			
Reviewed by: skc			
Reviewed on: 3/8/16			
Updates:			
Recommendation:			
File 8- White			

Page 2

Petitioner prays for an order that:

1. Notice of Hearing has been given as required by law;
2. The allegations contained in this petition are true;
3. The total property on hand consists of cash assets of \$6,395.03, securities of \$118,695.40, a 2014 Honda Odyssey valued at \$49,999.66, and the rights to the income streams from the John Hancock and Prudential annuities for a total of \$175,090.09;
4. Ratifies trustee fees paid to Midland States Bank of \$6,250.05 during this account period;
5. Authorizing and directing Petitioner to pay itself, out of the trust estate, periodic payments of compensation on account during the next accounting period for services rendered as trustee, on a monthly basis, pursuant to the fee schedule set forth in the petition;
6. Authorizing and directing payment to The Urbatsch Law Firm, PC, out of the trust estate, the total of \$1,087.50;
7. Authorizing and directing payment to Gregory J. Lederman, Esq., \$5,140.00 or alternatively \$4,327.50 if recommended for approval;
8. Authorizing and directing reimbursement to Gregory J. Lederman, Esq., \$200.00 in costs; and
9. Any other and further orders that the Court deems just and proper.

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

1. \$133.19 of the costs requested by Petitioner's former attorney are for costs considered by the court to be costs of doing business and not reimbursable pursuant to Local Rule 7.17. The Court may disallow reimbursement for the following amounts:
 - Filing service \$56.85
 - FedEx \$19.79
 - Filing service \$56.55
2. Pursuant to the Order Settling First Account entered 8/7/14, title to the vehicle was to be held by the beneficiary's parent with the trust as lien holder; however, this petition indicates that the vehicle is held as an asset of this trust. The Court may require clarification as to the title of the vehicle.
3. The Receipts schedule indicates a payment from John Hancock of \$34,500 on 1/9/15. Need clarification: Was this payment actually the payment that was due in August 2014, just paid six months late?
4. The Petition to Bring Trust Under Court Jurisdiction filed 2/18/11 requested authorization to purchase life insurance for the beneficiary's parents, Paris and Linda White, and the order thereon authorized \$34,500/year for such purchase. The Trustee's First Account reflected annual payments to ING in 2011, 2012, and 2013, but did not list the insurance as an asset at the close of that account period on 12/31/13. This Second Account does not mention the insurance at all and does not reflect any payments to ING during 2014 and 2015. What is the status of this insurance?
5. Trustee fees were previously authorized to be paid in monthly periodic payments; however, Fresno Superior Court Local Rule 7.19E states when a trust is subject to continuing court supervision, no payment of fees to attorneys, trustees, or others may be made without prior court approval. As such, the Court may require prior Court approval for payment of trustee fees going forward.
6. Need proposed order per Local Rule 7.1.1.F.

Note: If granted, the Court will set a status hearing for the filing of the Third Account as follows:

- If a one-year account is required, Monday, March 6, 2017.
- If a two-year account is required, Monday, March 5, 2018.

If the proper item is filed, status hearing may come off calendar. Otherwise, written status report is required per Local Rule 7.5.

		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> <u>Order on First and Final Account and Distribution signed 05/18/2015.</u>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 03/08/2016
		Updates:
		Recommendation:
		File 11- King

Petitioner Cristilde N. Gutierrez (Pro Per)

Petition for Appointment of Guardian of the Person

NO TEMPORARY REQUESTED			NEEDS/PROBLEMS/COMMENTS:
CRISTILDE N. GUTIERREZ, maternal aunt, is Petitioner.			
~Please see Petition for details~			<p>Continued from 2/1/2016. Minute Order states examiner notes provided in open court.</p> <p>The following issues from the last hearing remain:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing and proof of personal service of the Notice with a copy of the Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence, for: <ul style="list-style-type: none"> • Fabian Quiroz, father of Fabian, Jr.; • Father of Stacy; • Father of Nadine. 2. Need proof of service by mail of the Notice of Hearing with a copy of the Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence, for: <ul style="list-style-type: none"> • paternal grandparents of Stacy; • paternal grandparents of Nadine; • Alicia Quiroz, paternal grandmother of Fabian; • paternal grandfather of Fabian; • Mary Santiago, maternal grandmother; • Gustavo Sanchez, maternal grandfather, if Court does not find due diligence per Declaration filed 8/25/2015 stating he was deported in June 2015 and his whereabouts are unknown.
Cont. from 102615, 113015, 020116			
Court Investigator's Report was filed on 10/13/2015.			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Petition for Appointment of Guardian of the Person

			See petition for details.	NEEDS/PROBLEMS/COMMENTS:		
				<p>Note: This petition pertains to Audie only. Guardianship of Ashlynn was granted to Patricia Hamby (Ashlynn's paternal grandmother) on 2/24/16.</p>		
				<p>1. Although Petitioners answered "No" to all questions in the petition re Indian Child Inquiry; Petitioner Karen Wulf informed the Court Investigator that the child does have Indian heritage. <u>Therefore, continuance of at least 75 days is necessary for the filing of the ICWA-030 Notice and service thereof pursuant to the Indian Child Welfare Act. See Probate Code §1460.2, Cal. Rule of Court 7.1015.</u></p>		
				<p><u>Need Notice of Child Custody Proceeding for Indian Child (ICWA-030) and proof of service by certified mail (return receipt) on all appropriate agencies and tribes/nations.</u></p>		
				<p>2. Need <u>completed</u> order. Proposed order is incomplete at #7.</p>		
				Reviewed by: skc		
				Reviewed on: 3/7/16		
				Updates:		
				Recommendation:		
				File 14- Astone/ Wulf		
	Aff.Sub.Wit.					
✓	Verified					
	Inventory					
	PTC					
	Not.Cred.					
✓	Notice of Hrg					
✓	Aff.Mail	W				
	Aff.Pub.					
	Sp.Ntc.					
✓	Pers.Serv.	W				
✓	Conf. Screen					
✓	Letters					
✓	Duties/Supp					
✓	Objections					
	Video Receipt					
✓	CI Report					
✓	Clearances					
✓	Order					
	Aff. Posting					
	Status Rpt					
✓	UCCJEA					
	Citation					
	FTB Notice					

15 Abryanna Clark (GUARD/P)**Case No. 15CEPR00959**

Petitioner Nash, Kjiyana Michelle (Pro Per – Non-Relative)

Objector Clark, LaToya (Pro Per – Mother)

Petition for Appointment of Guardian of the Person

Age: 4	<u>TEMPORARY EXPIRES 03/14/2016</u>	NEEDS/PROBLEMS/COMMENTS:
	Kjiyana Nash, non-relative, is petitioner.	Note: Maternal Grandmother, Peggy Burford, filed a Petition for Guardianship on 03/04/2015. Hearing is set for 05/10/2016.
Cont. from 120715, 020116	<u>Please see petition for details</u>	Minute Order of 02/01/2016: Kjiyana Nash represents that despite what her Probation Officer reported to the Court Investigator, she has paid her fines and that her community service hours are down to 26 hours, stating that she can speak to her PO and bring proof. LaToya Clark is ordered to go to the Court Investigator and update with regard to her recent arrest.
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 03/08/2016
		Updates:
		Recommendation:
		File 15- Clark

NEEDS/PROBLEMS/COMMENTS:

2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:

- Paternal Grandparents (Not Listed)
- Maternal Grandfather (Not Listed)

Note: Notice of Hearing filed 10/07/2015 shows an individual by the name of Kemal Clark was personally served on 10/01/2015 however it is unclear what the relationship is to the minor.

3. Notice of Hearing with proof of service filed 10/07/2015 shows Laurie Scott served Kemal Clark who resides in Clovis, New Mexico on 10/01/2015 at 12:00pm and Peggy Clark who resides in Riverdale, Illinois on 10/01/2015 at 12pm. Need clarification.

For Objector:

1. Need proof of service of Objection to Guardianship filed by Latoya Clark on 02/02/2016 served on guardian, Kjiyana Nash.

Attorney Pape, Jeffrey B. (for Petitioner Paula Robitschek-Silva)

Account and Petition for Settlement of Account and for Distribution of Trust

DOD: 6/12/15		PAULA ROBITSCHKEK-SILVA , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 6/12/15 – 1/27/16 Accounting: \$136,990.63 Beginning POH: \$131,387.00 Ending POH: \$106,942.76 (cash)	Note: Order on Petition to Instruct Trustee entered 12/3/15 authorized the sale of the residence to heir Carol Gaor. See petition and order re the \$26,000 credit on her share of the trust estate.
<input type="checkbox"/>	Aff.Sub.Wit.	Petitioner states the residence was sold for a gross sales price of \$130,000.00. See escrow statement at Exhibit B.	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Trustee (reimbursement): \$7,486.38 (Schedule "I" Liabilities itemizes funeral expenses and attorney fees and costs paid.)	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Reserve: \$5,000.00 (for final income tax return, any tax that may be due, and any other proper administrative expenses)	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Petitioner states distributions pursuant to the terms of the trust after above expenses and reserve will be as follows:	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	<ul style="list-style-type: none"> Terry Garratt: \$30,114.10 (1/4 share) Laura Escovedo: \$30,114.10 (1/4 share) Carol Gaor: \$4,114.09 (1/4 share, after credit of \$26,000.00 applied to her purchase of the residence) Paula Silva-Robitshek: \$30,114.09 (1/4 share) 	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
<input type="checkbox"/>			
		Reviewed by: skc	
		Reviewed on: 3/8/16	
		Updates:	
		Recommendation:	
		File 16- Robitschek	

17A Marjorie Johnson (Estate)

Case No. 15CEPR01077

Petitioner Dawn Mafana (Pro Per)
 Attorney Gary G. Bagdasarian (for Competing Petitioner Louise Parks)
 Attorney J. David Petrie (by association of counsel, also for Competing Petitioner Louise Parks)
 Attorney Jan T. Perkins; Curtis Rindlisbacher; Daniel Stein (for Contestant Laurel Jean Seibert)

Petition for Letters of Administration with IAEA

DOD: 6/30/2015		DAWN MAFANA , granddaughter, is Petitioner and requests appointment as Administrator without bond (<i>All heirs waive bond</i>).	NEEDS/PROBLEMS/COMMENTS:	
Cont. from 121015, 020216		Full IAEA — OK	Page 17B is the competing <i>Petition for Probate</i> filed by LOUISE PARKS .	
<input type="checkbox"/>	Aff.Sub.Wit.		Page 17C is the <i>Contest and Grounds of Objection to Petition for Probate of Purported Will</i> filed by LAUREL JEAN SEIBERT .	
<input checked="" type="checkbox"/>	Verified	Decedent died intestate.		
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.	Residence — Kerman		
<input type="checkbox"/>	Notice of Hrg	Publication — The Kerman News		
<input checked="" type="checkbox"/>	Aff.Mail	Estimated value of the Estate: Personal property - \$60,000.00 <hr/> Total - \$60,000.00		
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.	Probate Referee: Rick Smith		<p>The following issue from the last hearing remains:</p> <ol style="list-style-type: none"> Item 5(a) of the <i>Petition</i> is incomplete as to (3) or (4) re: registered domestic partner. <p>Note: If <i>Petition</i> is granted, Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Monday, August 15, 2016 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and Monday, May 15, 2017 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p>
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

17A

Dept. 303, 9:00 a.m. Monday, March 14, 2016

Petitioner Dawn Mafana (Pro Per)
 Attorney Gary G. Bagdasarian (for Competing Petitioner Louise Parks)
 Attorney J. David Petrie (by association of counsel, also for Competing Petitioner Louise Parks)
 Attorney Jan T. Perkins; Curtis Rindlisbacher; Daniel Stein (for Contestant Laurel Jean Seibert)

Petition for Probate Will and for Letters Testamentary; Authorization to Administer Under the Independent Administration of Estates Act

DOD: 6/30/2015	LOUISE PARKS , Beneficiary/friend and named Executor, is Petitioner, and requests appointment without Bond.	NEEDS/PROBLEMS/COMMENTS: Continued from 2/2/2016. Minute Order states Court finds the publication acceptable. Matter is continued to the date of the Will Contest. 1. Petitioner requests no bond be required despite that she is a resident of Warner, Oklahoma, because (1) she is the sole heir pursuant to the terms of the Will dated [4/27/2011]; and (2) the only asset of which Petitioner is aware is a Promissory Note dated 6/3/2015 in the face amount of \$40,000.00 , which was payable at a 7% interest rate with interest-only payments made monthly and all principal due and payable 7/1/2018. Court may require bond pursuant to Probate Code § 8480 et seq., or waivers of bond pursuant to Probate Code § 8481(a)(1) due to the competing petitions. Note: If <i>Petition</i> is granted, Court will set status hearings as follows: • Monday, August 15, 2016 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and • Monday, May 15, 2017 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
Cont. from 020216		
✓ Proof Hol.	Full IAEA: OK	
✓ Verified		
Inventory	Holographic Will Dated: 4/27/2011	
PTC		
Not.Cred.	Residence: Kerman	
✓ Notice of Hrg	Publication: Firebaugh-Mendota Journal/ Mendota Times	
✓ Aff.Mail	W/	
✓ Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Estimated value of the Estate:	
✓ Letters	Personal property - \$40,000.00 Total - \$40,000.00	
✓ Duties/Supp		
✓ Objections	Probate Referee: Rick Smith	
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 3/7/16
		Updates:
		Recommendation:
		File 17B- Johnson

Petitioner Dawn Mafana (Pro Per)
 Attorney Gary G. Bagdasarian (for Competing Petitioner Louise Parks)
 Attorney J. David Petrie (by association of counsel, also for Competing Petitioner Louise Parks)
 Attorney Jan T. Perkins; Curtis Rindlisbacher; Daniel Stein (for Contestant Laurel Jean Seibert)

Contest and Grounds of Objection to Petition for Probate of Purported Will

DOD: 6/30/2015		LAUREL JEAN SEIBERT , daughter and sole heir, is Contestant.	NEEDS/PROBLEMS/COMMENTS:
		Contestant alleges:	1. Court records do not show filing of a <i>Summons</i> nor proof of service of <i>Summons</i> , pursuant to Probate Code § 8250(a), in the manner provided in Code of Civ. Proc. 413.10, to the persons required to be served pursuant to Probate Code § 8110. 2. Need proposed order pursuant to Local Rule 7.1.1(F) which provides a proposed order shall be submitted with all pleadings that request relief.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	<ul style="list-style-type: none"> On 12/8/2015, LOUISE PARKS (Respondent) filed a document dated 4/27/2011 purporting to be the last Will of the Decedent, together with a petition requesting that the document be admitted to probate and that letters testamentary be issued to Respondent; Contestant is a person interested in Decedent's estate and entitled to contest of admission of the purported Will because she is Decedent's daughter and a natural heir under intestate succession; Probate of the purported Will should be denied on the following grounds: <ul style="list-style-type: none"> At the time of the alleged execution of the purported Will, Decedent was not of sound and disposing mind; The purported Will was not written by Decedent; The purported Will was not executed by Decedent and attested in the manner and form required by law for the execution of a Will; 	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Summons	X	
<input type="checkbox"/>	FTB Notice		
		~Please see additional page~	Reviewed by: LEG Reviewed on: 3/8/16 Updates: Recommendation: File 17C- Johnson

17C

Contestant alleges, continued:

- Decedent's purported Will is not and never was Decedent's Will, and was made at the time of its alleged execution as a result of undue influence of the Respondent in that:
 - Respondent lived with Decedent during the time when the purported Will was allegedly executed and occupied a position of trust and confidence with Decedent;
 - During this time, Respondent held herself out as a prophet and Decedent believed that she needed to comply with the requests of Respondent;
 - During this same period of time, Respondent was able to exert control and influence over the mind of the Decedent to such a point that Decedent was no longer capable of exercising her own conviction or desire with regard to her actions or thoughts;
 - Rather, because of the pressure brought on Decedent by Respondent, both by arguments and entreaty, Decedent's convictions or desires became the convictions or desires imposed on her by Respondent;
 - During this time, which Decedent was under Respondent's undue influence, Respondent suggested the contents of the document submitted for probate to the Court by Respondent, arranged for the purported execution of the purported document, and caused the Decedent to execute the purported document;
 - At the time the document was purported executed, Decedent was wholly under the influence of Respondent and the purported document does not represent the free and voluntary act of Decedent.
- Contestant alleges the presumption created by Probate Code § 21380 requires a finding that the purported Will is the product of fraud or undue influence because:
 - Respondent actually drafted the purported Will for Decedent;
 - Respondent was in a fiduciary relationship with Contestant in that she was designated by Decedent as her agent under a power of attorney for healthcare and Respondent transcribed or caused to be transcribed the purported Will;
 - Decedent was a resident of the State of California at the time of the purported execution of the purported Will although she was living temporarily with Respondent in the State of Oklahoma.

Contestant requests that:

1. Probate of the purported Will be denied;
2. Costs of suit be granted; and
3. Reasonable attorney's fees be granted under Probate Code § 21380(d).